

Message Text

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ORIGIN IO-14

INFO OCT-01 NEA-10 ISO-00 HA-05 CIAE-00 DODE-00 PM-05
H-01 INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02
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INFO AMCONSUL BOMBAY
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E.O. 11652: N/A

TAGS: UNHRC, SHUM

SUBJECT: 34TH HUMAN RIGHTS COMMISSION (HRC)

REF: NEW DELHI 4516

1. USDEL TO 34TH HRC REPORTS THAT CONTACTS BETWEEN U.S.
AND INDIAN DELS THROUGHOUT THE COURSE OF THE 5-WEEK
SESSION WERE FREQUENT AND RELATIONS WERE EASY, POSITIVE
AND MUTUALLY BENEFICIAL. THE INDIAN RESOLUTION CONCERNING
NATIONAL INSTITUTIONS IN THE FIELD OF HUMAN RIGHTS, WHICH
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WAS CO-SPONSORED BY CANADA, COLOMBIA, CYPRUS, EGYPT, IRAN,
NIGERIA, SWEDEN AND SYRIA, WAS ADOPTED BY CONSENSUS, WITH
MOST DELEGATIONS GENERALLY PRAISING THE PROPOSAL, INCLUDING
THE U.S.

2. THE INDIAN DELEGATION ACTED AS CHAIRMAN OF THE NON-
ALIGNED DELEGATIONS ON THE HRC AND PLAYED A LEADING BEHIND

THE SCENES ROLE IN NEGOTIATING THE RESOLUTIONS WHICH WERE ADOPTED ON CYPRUS AND CAMBODIA. IN THE CASE OF CYPRUS, THE INDIAN INITIATIVE WAS ACCEPTED BY THE TWO DELEGATIONS PRINCIPALLY CONCERNED, CYPRUS AND TURKEY. THE DRAFT RESOLUTION PROPOSED BY INDIA AND ADOPTED WITHOUT A VOTE SERVED TO AVOID WHAT MIGHT OTHERWISE HAVE BEEN AN ACRIMONIOUS AND NON-PRODUCTIVE DISCUSSION. THE SUBJECT OF CAMBODIA WAS FIRST RAISED BY THE DELEGATION OF THE UNITED KINGDOM, WHICH PROPOSED A THOROUGH STUDY OF THE CAMBODIAN SITUATION BY A SPECIAL RAPPORTEUR. THE INDIAN COMPROMISE NON-ALIGNED PROPOSAL CALLING FOR CONTACTS WITH THE CAMBODIAN GOVERNMENT AND FURTHER CONSIDERATION AT THE NEXT HRC REPRESENTED A DISTINCT POSITIVE ACHIEVEMENT IN THE FACE OF OBJECTIONS BY SOME COMMUNIST AND ARAB DELEGATIONS TO TAKING ANY ACTION AT ALL. THESE LATTER DELEGATIONS APPEARED TO FEAR THE PRECEDENT OF PUBLIC DISCUSSION BY THE HRC OF SERIOUS HUMAN RIGHTS SITUATIONS SUCH AS THAT ALLEGED TO EXIST IN CAMBODIA. THE UNANIMOUS ADOPTION BY THE HRC OF THE NON-ALIGNED GROUP COMPROMISE REPRESENTED AN ENCOURAGING REVERSAL OF TENDENCIES EVIDENCED BY THE HRC AT PREVIOUS SESSIONS TO AVOID PUBLIC DISCUSSION OF SERIOUS, BUT CONTROVERSIAL, HUMAN RIGHTS ALLEGATIONS.

3. USDEL WAS NOT DIRECTLY AWARE OF ANY PARTICULAR INDIAN MODERATING ACTIVITY WITH RESPECT TO RESOLUTIONS ON THE ISRAELI SETTLEMENTS, PALESTINE SELF-DETERMINATION AND CONFIDENTIAL

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SOUTHERN AFRICAN APARTHEID ISSUES. AS CONCERNS THE INDIAN NON-ALIGNED LEADERSHIP ROLE, USDEL HAS NO EVIDENTIAL BASIS FOR COMMENTS ON INDIAN-CUBAN INTERPLAY.

4. RE THE PROPOSAL FOR A HIGH COMMISSIONER FOR HUMAN RIGHTS, THE HRC DID NOT DISCUSS THE SUBSTANCE OF THIS PROPOSAL BUT INSTEAD REFERRED IT ALONG WITH OTHER PROPOSALS RELATING TO THE UN HUMAN RIGHTS MACHINERY TO A WORKING GROUP WHICH IS TO MEET ONE WEEK PRIOR TO THE OPENING OF THE 35TH HRC IN 1979. IN PRIVATE CONVERSATIONS WITH USREP MEZVINSKY, MRS. PANDIT WAS FAVORABLY DISPOSED TO SUPPORT THE PROPOSAL AND REPORTED THAT SHE HAD ATTEMPTED TO CHANGE THE NEGATIVE STANCE OF HER GOVERNMENT. REGRETFULLY, MRS. PANDIT'S EFFORTS WERE NOT CROWNED WITH SUCCESS.

5. RE THE SUBCOMMISSION ELECTIONS, USDEL AT THE APPROPRIATE TIME INDICATED TO INDIAN DEL OUR INTENT TO SUPPORT CANDIDACY OF DR. L.M. SINGHVI AND WE WERE IN TURN ASSURED OF INDIAN SUPPORT FOR CANDIDACY OF BEVERLY CARTER.

6. RE THE 1503 PROCEDURES WHICH, AS REPORTED IN GENEVA

3851, LED TO AN UNUSUALLY PRODUCTIVE SERIES OF DECISIONS BY THE HRC, THE INDIAN DELEGATION WAS NOT NOTICEABLY ACTIVE IN EITHER A POSITIVE OR A NEGATIVE MANNER. OUR IMPRESSION IS THAT THE INDIAN ATTITUDE IS TO WATCH THESE PROCEDURES DEVELOP AS INTERESTED BYSTANDERS.

7. MRS. PANDIT'S PERSONAL PERFORMANCE AS LEADER OF THE INDIAN DELEGATION WAS STEADY AND DIGNIFIED. SHE LEFT A GREAT DEAL OF THE CORRIDOR NEGOTIATIONS AND OF THE GIVE AND TAKE DURING COMMISSION SESSIONS TO HER ALTERNATE, AMBASSADOR GHAREKHAN, THE INDIAN PERMANENT REPRESENTATIVE IN GENEVA. AMBASSADOR GHAREKHAN PERFORMED IN AN OUTSTANDING MANNER, EXHIBITING SPECIAL SKILLS AS A NEGOTIATOR AND AS A DEBATER. MRS. PANDIT PERSONALLY PRESIDED AS
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THE CHAIRMAN OF THE SPECIAL WORKING GROUP WHICH WAS ESTABLISHED TO DEAL WITH THE SWEDISH INITIATIVE FOR THE DRAFTING OF A CONVENTION AGAINST TORTURE. THE CHOICE OF MRS. PANDIT AS CHAIRMAN OF THE WORKING GROUP WAS DUE TO THE SPECIAL INTEREST WHICH WAS SHOWN FROM THE BEGINNING OF THE SESSION BY THE INDIAN DELEGATION IN THE TORTURE PROBLEM.

8. FINALLY, USREP MEZVINSKY REPORTS THAT HIS PERSONAL RELATIONS THROUGHOUT THE SESSION WITH MRS. PANDIT WERE EXCEPTIONALLY GOOD. MEZVINSKY PERSONALLY HAS VERY HIGH REGARD AND RESPECT FOR MRS. PANDIT. HE WAS DEEPLY IMPRESSED WITH HER INSIGHT INTO COMMISSION OPERATIONS AND HER CANDID PERSPECTIVE. HE EXCHANGED VIEWS WITH HER FREQUENTLY AND THE WARM AND HARMONIOUS ATMOSPHERE WHICH CHARACTERIZED THEIR FIRST MEETING (REPORTED GENEVA 1835) CONTINUED THROUGHOUT THE SESSION. COOPER

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